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May 28, 2004

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David L. Parker

MS AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 09/599,152 entitled "ETHYLENEDICYSSTEINE (eC)-DRUG CONJUGATES, COMPOSITIONS AND METHODS FOR TISSUE SPECIFIC DISEASE IMAGING" – David Yang et al.*
Our reference: UTSC:664
Client reference:

Sir:

Enclosed for filing in the above-referenced patent application is a Supplemental Information Disclosure Statement, Form PTO-1449, and references A44-A45, B8-B10, and C295-C341.

A fee as set forth in 37 C.F.R. § 1.17(p) in the amount of \$180.00 is enclosed. If an appropriate check has not been enclosed, or if it is insufficient, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/UTSC:664.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

David L. Parker
Reg. No. 32,165

DLP/kmv
Encl.: as noted



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
David Yang *et al.*

Serial No.: 09/599,152

Filed: June 21, 2000

For: ETHYLENEDICysteINE (eC)-DRUG
CONJUGATES, COMPOSITIONS AND
METHODS FOR TISSUE SPECIFIC
DISEASE IMAGING

Group Art Unit: 1616

Examiner: Dameron Levest Jones

Atty. Dkt. No.: UTSC:664

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS AMENDMENT

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Alexandria, Virginia 22313-1450

Sir:

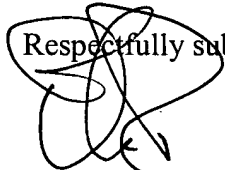
In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

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Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,


David L. Parker
Reg. No. 32,165
Attorney for Applicants

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Form PTO-1449 (modified)

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U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A44	4,988,496	02/29/91	Srinivasan <i>et al.</i>	424	1.53	5/31/88
	A45	5,268,163	12/07/93	Verbruggen	424	1.1	4/10/91

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B8	WO 01/80906	11/01/01	PCT			English
	B9	WO 01/91807	12/06/01	PCT			English
	B10	WO 91/16076	10/31/91	PCT			English

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C295	Alauddin and Conti, "Synthesis and preliminary evaluation of 9-(4-{18F}-Fluoro-3-Hydroxymethylbutyl)guanine ([18F]FHBG): a new potential imaging agent for viral infection and gene therapy," <i>Nucl. Med. Biol.</i> , 25:175-180, 1998.
	C296	Alauddin <i>et al.</i> , "9-[(3-18F)-fluoro-1-hydroxy-2-propoxy)methyl]guanine ([18F]-FHPG): a potential imaging agent of viral infection and gene therapy using PET," <i>Nucl. Med. Biol.</i> , 23:787-792, 1996.
	C297	Alauddin <i>et al.</i> , "Evaluation of 9-[(3-18F)-fluoro-1-hydroxy-2-propoxy)methyl]guanine ([18F]-FHPG) in vitro and in vivo as probe for PET imaging of gene incorporation and expression in tumors," <i>Nucl. Med. Biol.</i> , 26:371-376, 1999.
	C298	Alauddin <i>et al.</i> , "Receptor mediated uptake of a radiolabeled contrast agent sensitive to β -galactosidase activity," <i>Nucl. Med. Biol.</i> , 30:261-265, 2002.
	C299	Appelbaum <i>et al.</i> , "The use of radiolabeled anti-CD33 antibody to augment marrow irradiation prior to marrow transplantation for acute myelogenous leukemia," <i>Transplantation</i> , 54(5):829-833, 1992.

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Exam. Init.	Ref. Des.	Citation
	C300	Bertolini <i>et al.</i> , "Angiogenic growth factors and endostatin in non-Hodgkin's lymphoma," <i>Br. J. Haematol.</i> , 106:5045, 1999.
	C301	Bormans <i>et al.</i> , "Synthesis and biological characteristics of the four stereoisomers of 99mTc-N, N'-bis-(mercaptoacetyl)2,3-diaminopropanoate," <i>Int. J. Rad. Appl. Instrum. B.</i> , 17(5):499-506, 1990.
	C302	Burian <i>et al.</i> , <i>Acta Otolaryngol.</i> , 119:289-292, 1999.
	C303	Cao, "Therapeutic potentials of angiostatin in the treatment of cancer," <i>Haematologica</i> , 84:643-650, 1999.
	C304	Deveraux and Reed, "IAP family proteins-suppressors of apoptosis," <i>Genes and Development</i> , 13:239-252, 1999.
	C305	Frisch and Screaton, "Anoikis mechanisms," <i>Curr. Opin. Cell Biol.</i> , 13:555-562, 2001.
	C306	Gambhir <i>et al.</i> , "A mutant herpes simplex virus type 1 thymidine kinase reporter gene shows improved sensitivity for imaging reporter gene expression with positron emission tomography," <i>Proc. Natl. Acad. Sci., USA</i> , 97(6):2785-2790, 2000.
	C307	Gambhir <i>et al.</i> , "Imaging adenoviral-directed reporter gene expression in living animals with positron emission tomography," <i>Proc. Natl. Acad. Sci., USA</i> , 96:2333-2338, 1999.
	C308	Gambhir <i>et al.</i> , "Imaging of adenoviral-directed herpes simplex virus type 1 thymidine kinase reporter gene expression in mice with radiolabeled ganciclovir," <i>J. Nucl. Med.</i> , 39:2003-2011, 1998.
	C309	Green and Evan, "A matter of life and death," <i>Cancer Cell</i> , 1:19-30, 2002.
	C310	Inoue <i>et al.</i> , "The prognostic value of angiogenesis factor expression for predicting recurrence and metastasis of bladder cancer after neoadjuvant chemotherapy and radical cystectomy," <i>Clin. Cancer Res.</i> , 6:4866-4873, 2000.
	C311	Ionov <i>et al.</i> , "Mutational inactivation of the proapoptotic gene BAX confers selective advantage during tumor clonal evolution," <i>Proc. Natl. Acad. Sci., USA</i> , 97(20):10872-10877, 2000.
	C312	Iyer <i>et al.</i> , "8-[18F]Fluoropenciclovir: an improved reporter probe for imaging HSV1-tk reporter gene expression in vivo using PET," <i>J. Nucl. Med.</i> , 42(1):96-105, 2001.
	C313	Kao <i>et al.</i> , "Detection of esophageal carcinoma using Tc-99m MIBI SPECT imaging," <i>Clin. Nucl. Med.</i> , 19(12):1069-1074, 1994.

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	C314	Kao <i>et al.</i> , "Relationship of alveolar permeability and lung inflammation in patients with active diffuse infiltrative lung disease detected by 99Tcm-DTPA radioaerosol inhalation lung scintigraphy and quantitative 67Ga lung scans," <i>Nucl. Med. Commun.</i> , 15(10):850-854, 1994.
	C315	Kao <i>et al.</i> , "Tc-99m MIBI uptake in breast carcinoma and axillary lymph node metastases," <i>Clin. Nuc. Med.</i> , 19(10):898-900, 1994.
	C316	Lin <i>et al.</i> , "The role of Tc-99m MDP and Ga-67 imaging in the clinical evaluation of malignant fibrous histiocytoma," <i>Clin. Nucl. Med.</i> , 19(11):996-1000, 1994.
	C317	Liu <i>et al.</i> , "Apoptotic signals delivered through the T-cell receptor of a T-cell hybrid require the immediate-early gene <i>nur77</i> ," <i>Nature</i> , 367(6460):281-284, 1994.1994.
	C318	Liu <i>et al.</i> , "Detection of anaerobic odontogenic infections by fluorine-18 fluoromisonidazole," <i>Eur. J. Nucl. Med.</i> , 23(10):1384-1387, 1996.
	C319	Macapinlac <i>et al.</i> , "Callium-67-citrate imaging in nuclear oncology," <i>Nucl. Med. Biol.</i> , 21(5):731-738, 1994.
	C320	Makin and Hickman, "Apoptosis and cancer chemotherapy," <i>Cell Tissue Res.</i> , 301:143-152, 2000.
	C321	Martin <i>et al.</i> , "Noninvasive detection of hypoxic myocardium using fluorine-18 fluoromisonidazole and positron emission tomography," <i>J. Nucl. Med.</i> , 33(12):2202-2208, 1992.
	C322	Meredith <i>et al.</i> , "Treatment of metastatic prostate carcinoma with radiolabeled antibody CC49," <i>J. Nucl. Med.</i> , 35(6):1017-1022, 1994.
	C323	Namavari <i>et al.</i> , "Synthesis of 8-[18F]Fluoroguanin derivatives: in vivo probes for imaging gene expression with positron emission tomography," <i>Nucl. Med. Biol.</i> , 27:157-162, 2000.
	C324	Reed, "Apoptosis-targeted therapies for cancer," <i>Cancer Cell</i> , 3:17-22, 2003.
	C325	Smalley <i>et al.</i> , "Localization of fluorescent compounds in the firefly light organ," <i>J. Histochem. Cytochem.</i> , 28(4):323-329, 1980.
	C326	Smith <i>et al.</i> , "Prognostic significance of vascular endothelial growth factor protein levels in oral and oropharyngeal squamous cell carcinoma," <i>J. Clin. Oncol.</i> , 18(10):2046-2052, 2000.

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Exam. Init.	Ref. Des.	Citation
	C327	Sun <i>et al.</i> , "Idium(III) and Gallium(III) Complexes of Bis(aminoethanethiol) Ligands with Different Denticities: Stabilities, Molecular Modeling, and in Vivo Behavior," <i>Journal of Medicinal Chemistry</i> , 39(2):458(1996).
	C328	Taggart <i>et al.</i> , <i>Human Mutation</i> , 13(3):210-220, 1999.
	C329	Tschopp <i>et al.</i> , "Apoptosis: silencing the death receptors," <i>Curr. Biol.</i> , 9:R381-R384, 1999.
	C330	Ugurel <i>et al.</i> , "Increased serum concentration of angiogenic factors in malignant melanoma patients correlates with tumor progression and survival," <i>J. Clin. Oncol.</i> , 19(2):577-583, 2001.
	C331	Verbruggen <i>et al.</i> , "Tc-99m-L,L-ethylenedicycysteine: A renal imaging agent. I. Labelling and evaluation in animals," <i>J Nucl Med</i> , 33:551-557, 1992.
	C332	Yaghoubi <i>et al.</i> , "Human pharmacokinetic and dosimetry studies of {18F}FHBG: a reporter probe for imaging herpes simplex virus type-1 thymidine kinase reporter gene expression," <i>J. Nucl. Med.</i> , 42:1225-1234, 2001.
	C333	Ye <i>et al.</i> , "TRAF family proteins interact with the common neurotrophin receptor and modulate apoptosis induction," <i>J. Biol. Chem.</i> , 274(42):30202-30208, 1999.
	C334	Yeh <i>et al.</i> , "Fluorine-18 fluoromisonidazole tumour to muscle retention ratio for the detection of hypoxia in nasopharyngeal carcinoma," <i>Eur. J. Nucl. Med.</i> , 23(10):1378-1383, 1996.
	C335	Yen <i>et al.</i> , "A comparative study of evaluating renal scars by 99mTc-DSMA planar and SPECT renal scans, intravenous urography, and ultrasonography," <i>Ann. Nucl. Med.</i> , 8(2):147-152, 1994.
	C336	Yen <i>et al.</i> , "Technetium-99m-DMSA renal SPECT in diagnosing and monitoring pediatric acute pyelonephritis," <i>J. Nucl. Med.</i> , 37(8):1349-1353, 1996.
	C337	Yen <i>et al.</i> , "The role of technetium-99m sestamibi whole-body scans in diagnosing metastatic Hurthle cell carcinoma of the thyroid gland after total thyroidectomy: a comparison with iodine-131 and thallium-201 whole-body scans," <i>Eur. J. Nucl. Med.</i> , 21(9):980-983, 1994.
	C338	Co-Pending U.S. Patent Application 10/672,763 filed 9/26/03 (UTSC:664USC1).
	C339	Co-Pending U.S. Patent Application 10/672,142 filed 9/26/03 (UTSC:664USC2).
	C340	Co-Pending U.S. Patent Application 10/703,405 filed 11/07/03 (UTSC:758).
	C341	Co-Pending U.S. Patent Application 10/732,919 filed 12/10/03 (UTSC:841US).

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